

September 2000

FOREST SERVICE

Proposed Regulations Adequately Address Some, but Not All, Key Elements of Forest Planning



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United States General Accounting Office
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Resources, Community, and
Economic Development Division

B-285339

September 29, 2000

The Honorable Larry E. Craig
Chairman, Subcommittee on Forests and
Public Land Management
Committee on Energy and Natural Resources
United States Senate

The Honorable Helen Chenoweth-Hage
Chairman, Subcommittee on Forests
and Forest Health
Committee on Resources
House of Representatives

Since 1976, the Department of Agriculture's Forest Service has been required by law to develop a land and resource management plan—commonly called a forest plan—for each national forest or for groups of forests. A forest plan, among other things, spells out how the agency intends to (1) protect the lands and resources that it manages and (2) provide goods and services to the public. Each forest plan must be revised at least once every 15 years. From 1979 through 1995, the Forest Service spent over \$250 million to develop 123 forest plans covering the 155 forests in the National Forest System. The agency now plans to spend about \$375 million to revise these forest plans and must complete revisions for nearly three-quarters of the plans in the next 5 years.

The current process used by the Forest Service to develop and revise forest plans has proven to be costly and time-consuming. National forests spend tens of millions of dollars a year attempting to develop forest plans that are legally defensible, scientifically credible, and able to sustain the forests' resources. Yet, despite these efforts, the agency has often failed to achieve planned objectives.

The Forest Service's planning regulations set forth a process for developing, approving, amending, and revising forest plans. The existing planning regulations, approved in 1982,¹ have been under revision since March 1989,² when the agency initiated a comprehensive review of its planning process. In April 1995, the Forest Service proposed new planning regulations.³ These regulations were based, in part, on the lessons learned by over 2,000 people who had participated in or had responsibilities for forest planning. However, the 1995 proposed planning regulations were never finalized. The effort to develop new planning regulations began again in 1997 when the Secretary of Agriculture convened a 13-member "Committee of Scientists" to take a fresh look at the Forest Service's planning process and to offer recommendations for improvements. Primarily on the basis of the Committee's findings, the Forest Service proposed new planning regulations in October 1999.⁴ The public comment period ran from October 1999 through February 2000. The Forest Service expects to finalize the new planning regulations early in fiscal year 2001.

Over the last 6 years, we have issued over 2 dozen products that have identified reasons for—and that have included recommendations to improve—the cost-effectiveness and timeliness of the Forest Service's planning process.⁵ Concerned about the outcome of the required forest plan revisions, you asked for our observations on the extent to which the agency's proposed planning regulations address our prior findings, conclusions, and recommendations. In this report, we discuss the extent to which the Forest Service's proposed planning regulations (1) make clear the agency's mission priorities before beginning the process of revising a forest plan; (2) link forest plans to agencywide goals, objectives, and strategies; and (3) hold the forests more accountable for key elements of forest planning.

¹47 *Fed. Reg.* 43026 (Sept. 30, 1982).

²*Synthesis of the Critique of Land Management Planning*, Vol. 1, Forest Service (FS-452, June 1990).

³60 *Fed. Reg.* 18886 (Apr. 13, 1995).

⁴64 *Fed. Reg.* 54074 (Oct. 5, 1999).

⁵See the related products page at the end of this report for a list of GAO reports and testimonies on the Forest Service's planning process.

Results in Brief

Federal land management is inherently contentious. Our work has found that a lack of clear direction on how to resolve conflicts among competing uses on national forest lands has contributed significantly to inefficiency and waste in the Forest Service's development and implementation of forest plans. To address this deficiency, the agency's 1999 proposed planning regulations would make ecological sustainability, rather than economic or social sustainability, the agency's top priority, in order to provide a sustainable flow of products, services, and other values from national forests, consistent with laws and regulations guiding their use. Elevating the maintenance or restoration of ecological systems over other uses on the national forests is consistent with the agency's evolving mission, which now favors resource protection over production. However, the priority assigned to ecological sustainability is not driven by the statutory authorities specific to the management of the national forests. Rather, it has evolved over many years, responding, in part, to the requirements in environmental laws—enacted primarily during the 1960s and 1970s—and their implementing regulations and judicial interpretations. As a result, the Congress has never explicitly accepted ecological sustainability as the Forest Service's highest priority or acknowledged its effects on the availability of timber, recreation, and other goods and services on the national forests. We recommend that the Forest Service work with the Congress to reach agreement on the agency's mission priorities. Responding to a draft of this report, the Forest Service stated that ecological sustainability is absolutely necessary to achieve other uses on the national forests. However, we believe that until the Congress and the agency reach agreement on ecological sustainability as the Forest Service's highest priority, holding the agency accountable for its performance will be difficult.

In our previous work, we found that the Forest Service has made some progress in developing goals, objectives, and strategies that help translate its priorities into on-the-ground projects and activities. For example, the agency is refining its goals and objectives to better focus on outcomes and results to be achieved over time. It is also developing a strategy to reduce the incidence of uncontrollable and often catastrophic wildfires. Yet, even though many of these goals, objectives, and strategies are to be implemented through on-the-ground projects and activities governed by individual forest plans, the agency's proposed planning regulations do not require that these forest plans be clearly linked to the goals, objectives, and strategies. We recommend that the Forest Service revise its proposed planning regulations to require the national forests to clearly link their

plans to the agency's goals, objectives, and strategies and to blend them with local priorities in revising the plans. According to the Forest Service, its proposed regulations provide that there be a "direct link" between forest plans and national strategic goals and objectives. However, the proposed regulations merely require that long-term strategic goals, objectives, and outcome measures be "considered" in managing the national forests, not that they be clearly linked to the agency's strategic plan.

We previously found that in developing and implementing forest plans, national forests have not always (1) based their decisions on accurate and complete data; (2) adequately involved the public and other government agencies throughout the forest planning process; or (3) lived up to monitoring requirements, particularly those for monitoring the effects of past planning decisions. This has resulted in legal challenges to the plans and limited the implementation of efforts to expedite the planning process. To hold the forests more accountable for basing their decisions on accurate and complete data, we previously recommended that the agency revise its proposed planning regulations to require the national forests to develop strategies for gathering and incorporating data into their planning processes. The Forest Service agreed with the desired outcome of our previous recommendation but declined to revise the planning regulations, opting instead to revise its system of directives that implement the planning regulations. While we still believe that it would be preferable to place requirements in the agency's planning regulations to develop strategies to help hold forests more accountable not only for gathering and incorporating data into their planning processes but also for involving the public and others in the planning processes and for monitoring and evaluating their decisions, we believe that the Forest Service should, at a minimum, revise its system of directives to require the national forests to (1) develop strategies for involving the public and other government agencies in their planning processes and for monitoring and evaluating their management decisions and (2) make the strategies available to the public. Accordingly, we are recommending that it take these actions.

Background

The Forest Service, created in 1905, is required to manage its lands to provide for the sustained yield of six renewable surface uses—outdoor recreation, rangeland, timber, watersheds and waterflows, wilderness, and wildlife and fish. In addition, the agency is required by its guidance and regulations to consider the production of nonrenewable subsurface resources, such as oil, gas, and hardrock minerals,⁶ in its planning.

The Forest Service is a hierarchical organization whose management is highly decentralized and whose regional foresters and forest supervisors have considerable autonomy and discretion in interpreting and applying the agency's policies and directions, guided by a system of directives consisting of manuals and handbooks keyed to statutes and regulations. The agency has three levels of field management—9 regional offices, 115 forest offices, and about 600 district offices. Regional offices, each managed by a regional forester, interpret policy and provide additional direction to the 115 forest offices that manage the 155 national forests. The forest offices, each managed by a forest supervisor, in turn, oversee some 600 district offices, most of which are managed by a district ranger. The forest supervisors are primarily responsible for developing and implementing forest plans for their respective forests. The district rangers are primarily responsible for implementing project-level decisions—"on the ground activities," such as harvesting timber, restoring species' habitats, and constructing campsites—within their respective districts.

The Proposed Regulations Would Establish Ecological Sustainability as the Forest Service's Overriding Mission Priority

One of the primary reasons for inefficiency and waste in developing and implementing forest plans is the lack of agreement on the Forest Service's mission priorities. Federal land management is inherently contentious, and parties dissatisfied with a forest plan can cause a forest to delay, alter, or withdraw projects and activities that implement the plan by availing themselves of the opportunities for administrative appeal and judicial review that are provided by statute or regulation. To better avoid or prevail against legal challenges and to expedite the forest planning process, we have concluded that the Forest Service must provide the national forests with clear direction on how to resolve conflicts among competing uses when developing and implementing forest plans. Toward this end, the agency's 1999 proposed planning regulations would make ecological sustainability, rather than economic or social sustainability, the agency's

⁶Hardrock minerals include gold, silver, lead, iron, and copper.

top priority, in order to provide a sustainable flow of products, services, and other values from national forests, consistent with laws and regulations guiding their use.

Elevating the maintenance or restoration of ecological systems over other uses on the national forests is consistent with the agency's evolving mission, which now favors resource protection over production. From 1979, when the first forest plan was approved, through the late 1980s, the agency emphasized timber production over other uses on the national forests. Hence, the national forests emphasized timber production in many of their forest plans. However, the Forest Service has shifted its mission priorities away from producing timber and other commodities toward maintaining or restoring land health and forest resources. For example, the Forest Service's fiscal year 2001 budget justification, submitted to the Congress in February 2000, states that "land health is the agency's highest priority" and that the proposed budget would allow the Forest Service to accomplish its "conservation mission."⁷

Although the Forest Service's 1999 proposed planning regulations would make ecological sustainability, rather than economic or social sustainability, the agency's top priority, the priority assigned to ecological sustainability is not driven by the statutory authorities specific to the management of the national forests. These authorities provide little direction for the agency in resolving conflicts among competing uses on its lands. Rather, the priority assigned to ecological sustainability is predicated on the requirements in environmental laws—enacted primarily during the 1960s and 1970s—and their implementing regulations and judicial interpretations. These laws reflect changing public values and concerns about the management of the national forests as well as increased scientific understanding of the functioning of ecological systems and their components. In particular, section 7 of the Endangered Species Act represents a congressional design to give greater priority to the protection of endangered species than to the other missions of the Forest Service and other federal agencies.⁸

Because the priority assigned to ecological sustainability has evolved over many years, responding, in part, to many laws and judicial decisions, the

⁷FY 2001 Budget Justification, U.S. Department of Agriculture, Forest Service.

⁸TVA v. Hill, 437 U.S. 153,185 (1978).

Congress has never explicitly accepted it as the Forest Service's highest priority or acknowledged its effects on the availability of timber, recreation, and other goods and services on the national forests. However, in 1999, the Chairman of the Subcommittee on Forests and Public Land Management, Senate Committee on Energy and Natural Resources, introduced S. 1320—the Public Lands Planning and Management Improvement Act of 1999. The bill appears to establish a starting point for the Congress and the administration to agree on the agency's mission priorities. The bill's mission statement would make clear that the Forest Service's overriding mission priority is ecosystem sustainability and acknowledges the effects of sustaining ecosystems on the availability of other uses on the national forests.

The Proposed Regulations Would Not Require That Forest Plans Be Clearly Linked to Strategic Goals, Objectives, and Strategies

The Government Performance and Results Act of 1993 (the Results Act) seeks to improve the effectiveness, efficiency, and accountability of federal programs by establishing a system for agencies to set goals for their programs' performance and to measure results. Thus, the act provides a framework to translate the Forest Service's mission priorities into on-the-ground projects and activities.

The Forest Service has made some progress in identifying issues relating to ecological, economic, and social sustainability and in developing statutorily required strategic goals and objectives as well as strategies to achieve them. In particular, the agency is refining the goals and objectives in its strategic plan and linking them to long-term performance measures and 5-year milestones that better focus on outcomes and results to be achieved over time.⁹ In addition, the agency is developing strategies to achieve some of the ecological goals and objectives in the strategic plan, such as reducing the incidence of uncontrollable and often catastrophic wildfires¹⁰ and restoring degraded watersheds.

⁹*Draft USDA Forest Service Strategic Plan (2000 Revision)*, U.S. Department of Agriculture, Forest Service (Nov. 1999).

¹⁰*Protecting People and Sustaining Resources in Fire-Adapted Ecosystems: A Cohesive Strategy*, Forest Service (Apr. 13, 2000).

In testimony before the Subcommittee on Interior and Related Agencies, House Committee on Appropriations, on February 16, 2000, the Chief of the Forest Service said that the agency expects that "forest plan goals, objectives, and performance measures will be aligned with the agency's goals, objectives, and performance measures."¹¹ However, the proposed planning regulations do not require that forest plans be clearly linked to the agency's strategic goals, objectives, and strategies. Instead, the regulations state that officials should consider national-level, long-term strategic goals and objectives, among other things, in managing the national forests. The most substantive direction provided on how and where to incorporate national priorities into forest plans is found in the definition of "resource management goal." The proposed regulations would require forest plans to include "general, non-quantitative" resource management goals, which the regulations define as "statements of intent" that link "laws, executive orders, regulations, and applicable Forest Service strategic plans with specific measurable objectives." No further direction is given on how this should be done.

According to one Forest Service official involved in finalizing the agency's proposed planning regulations, the proposed regulations are fully responsive to the Chief's expectation that forest plans will be aligned with the strategic plan. Conversely, officials within the Forest Service's headquarters office responsible for the agency's strategic plan said they believe that to comply with the requirements of the Results Act and the Chief's expectation, the proposed regulations must be revised to require that the goals and objectives of field units be linked to the agency's strategic goals and objectives and that strategic goals and objectives drive those of all other plans.

¹¹*Managerial Accountability In the Forest Service: A Review of the NAPA and GAO Reports on Accountability*, Testimony of Mike Dombeck, Chief, Forest Service, U.S. Department of Agriculture.

The approach taken by the Department of the Interior's National Park Service suggests some positive insights for the Forest Service in linking plans to results. The Park Service already requires the 376 separate units in the National Park System to prepare local land management plans (similar in function to forest plans) that address applicable servicewide goals as well as goals specific to each unit's unique legislative and operating environments.¹²

The Proposed Regulations Would Not Hold the National Forests Accountable for Ensuring Effective Public Participation, Monitoring, and Data Collection

The Forest Service has long acknowledged the importance of involving the public and other government agencies throughout the planning process and basing decisions on sound information. However, the agency has often left implementation of these key elements of forest planning to the discretion of its independent and autonomous forests. As a result, these forests have sometimes (1) based their decisions on inaccurate or incomplete data; (2) not adequately involved the public and other government agencies throughout their forest planning process; and (3) failed to live up to monitoring requirements, particularly those for monitoring the effects of past planning decisions. These deficiencies have driven up the cost and time to develop forest plans and driven down the agency's ability to achieve planned objectives.

Building on the lessons learned, the Forest Service's 1995 proposed planning regulations would have held the national forests more accountable for their performance in developing and implementing forest plans by requiring them to (1) develop strategies for involving the public and other government agencies in their planning processes and for monitoring and evaluating their management decisions and (2) make the strategies available to the public. Similarly, we have recommended that the agency revise its proposed planning regulations to require the national forests to develop strategies to gather data on ecological, social, and economic issues that extend beyond their administrative borders and to integrate these data into their forest planning processes. However, the Forest Service's 1999 proposed planning regulations do not require the forests to develop these strategies. According to the preamble to the 1999 proposed regulations, the effort that resulted in the 1999 proposed regulations was intended to have a perspective independent of the earlier effort. Moreover, although the Forest Service agrees that broad-scale,

¹²*National Park Service: Efforts to Link Resources to Results Suggest Insights for Other Agencies* (GAO/AIMD-98-113, Apr. 10, 1998).

ecosystem-based assessments should be used in revising forest plans, it does not think that a requirement to develop such a strategy should occur in the rule itself. Instead, the Forest Service responded that it will include requirements for gathering and integrating data into the forest planning process into a system of manuals and handbooks that provide details to the forests on how to implement the "spirit and intent" of the planning regulations.

The 1995 Proposed Planning Regulations Would Have Held the Forests More Accountable for Ensuring Effective Public Participation

The agency's existing planning regulations require the Forest Service to use public participation activities early and often, as applicable, throughout the planning process. Similarly, the 1999 proposed planning regulations describe the importance of public participation in the agency's decision-making and state that, in order to integrate the public into the planning process, the public should be provided with frequent and early opportunities to participate. Both the existing and the proposed planning regulations give significant discretion to individual forest supervisors to determine how and to what extent to involve the public in developing forest plans. The 1995 proposed planning regulations would have also given forest supervisors considerable discretion in determining how and to what extent to involve the public in developing forest plans. However, the 1995 proposed regulations would have also required forest supervisors to (1) develop "communications strategies" describing how the public and other governmental entities would participate in all stages of revising a forest plan and (2) invite the public and others to express their ideas and suggestions on the strategies. In addition, the 1995 proposed regulations would have required forest supervisors to (1) meet with interested representatives of other federal agencies and state, local, and tribal governments to establish and document procedures for ongoing coordination and communication throughout the plan revision process and (2) document these procedures and make them available to the public. Documenting public participation and interagency coordination strategies establishes a basis for holding the supervisors more accountable for their performance.

The 1995 Proposed Planning Regulations Would Have Held the Forests More Accountable for Monitoring and Evaluating Management Decisions

Under the agency's existing planning regulations, forest plans must contain provisions requiring periodic monitoring of the plan's implementation to assess how well the plan's objectives have been met and how closely management standards and guidelines have been applied. Similarly, the 1999 proposed planning regulations acknowledge the importance of, and generally describe the purpose for, monitoring and evaluation. However, neither the existing nor the 1999 proposed planning regulations provide sufficient guidance to ensure that monitoring and evaluation activities are effective. In particular, the proposed regulations do not require forest supervisors to (1) prioritize their monitoring and evaluation needs, (2) describe procedures for implementing monitoring and evaluation activities, or (3) identify needed changes to plans or plans' implementation. Conversely, the 1995 proposed planning regulations would have required forest supervisors to prepare a comprehensive monitoring and evaluation strategy that would have, among other things, (1) provided instructions for prioritizing monitoring and evaluation activities and for determining if their results warrant changes to management decisions and (2) described the procedures for implementing monitoring and evaluation activities. The 1995 proposed regulations would have also required forest supervisors to make the strategies available to the public for review and comment at the same time as the proposed forest plans. In addition, the 1995 proposed regulations would have required forest supervisors to identify any needed changes to plans or plans' implementation in annual monitoring and evaluation reports.

Neither the 1995 nor the 1999 Proposed Planning Regulations Would Hold the Forests Adequately Accountable for Data Collection and Use

The agency's existing planning regulations require forest supervisors to obtain current inventory data on forest resources. However, since the agency adopted these regulations, its need for gathering better and more comprehensive information on which to base decisions has increased. In particular, in revising their plans, most, if not all, of the national forests will need to address ecological, social, and economic issues that extend beyond their administrative boundaries and often extend onto other national forests.

In the early 1990s, the Forest Service began using ecosystem-based assessments to address broad-scale ecological and socioeconomic issues. Both the 1995 and the 1999 proposed planning regulations address some of the lessons the agency has learned about conducting and using such assessments. For instance, the 1999 proposed regulations state that (1) forest plans must be based on the best available scientific information and analyses, including information from a variety of geographic areas, some of

which can only be obtained, or can best be obtained, from broad-scale assessments and (2) broad-scale assessments should be conducted at appropriate geographic scales and reach conclusions.

However, neither the 1995 nor the 1999 proposed regulations adequately reflect other lessons learned about conducting broad-scale, ecosystem-based assessments. For example, the 1999 proposed regulations (1) generally leave decisions about whether to conduct assessments to the discretion of the Forest Service's national forest supervisors, who have considerable autonomy for interpreting and applying the agency's policies; (2) do not state when in the process assessments should occur; (3) are silent on the need for clear objectives and identifiable products; and (4) do not require the regional offices and forests to identify their strategies for involving the public.

Our February 2000 report on the Forest Service's planning process included recommendations to better integrate broad-scale assessments into forest planning. Specifically, we recommended that the 1999 proposed planning regulations be revised to make clear that the regions and forests must use broad-scale, ecosystem-based assessments in revising forest plans unless they can justify their omission. We also recommended that the regulations be revised to make clear that when a decision is made to conduct an assessment, the region(s) and forests must prepare a strategy that identifies, among other things, (1) how the assessment will be linked to the forest plan's revision; (2) how the public and other governmental entities will participate in the revision process; (3) what objectives the assessment will meet and what products it will generate, including those of the highest priority; and (4) how much the assessment will cost, how funding will be secured for it, and what is likely to happen if full funding is not available.

In responding to our recommendations, the Forest Service agreed with their intent and desired outcome. However, rather than revise the 1999 proposed planning regulations, the agency plans to place the necessary direction and guidance in its system of directives that provide details to the forest on how to implement the "spirit and intent" of the planning revisions.

Conclusions

By making clear that ecological sustainability—rather than economic or social sustainability—is the Forest Service's highest mission priority, the agency's proposed planning regulations, when finalized, would provide the national forests with needed direction on how to resolve conflicts among competing uses when developing and implementing forest plans. However,

establishing ecological sustainability as the agency's highest mission priority is better done outside procedural regulations governing forest planning.

Other improvements to the Forest Service's planning process are best addressed in the agency's planning regulations. These include the need to (1) clearly link forest plans to the goals and objectives in the Forest Service's statutorily required strategic plan as well as to the strategies to achieve them and (2) develop strategies to involve the public and other government agencies throughout the planning process and to base decisions on sound information. However, the agency's 1999 proposed planning regulations do not (1) clearly link forest plans to the strategic goals, objectives, and strategies and (2) address some of the lessons learned on public participation and monitoring that were identified during the development of, and incorporated in, the 1995 proposed planning regulations. Since the Forest Service plans to finalize the 1999 proposed planning regulations early in October, 2000, it would be difficult for the agency to revise the regulations to require the national forests to (1) develop strategies for involving the public and other government agencies in their planning processes and for monitoring and evaluating their management decisions and (2) make the strategies available to the public. Therefore, the Forest Service may need to place the necessary direction and guidance relating to these key elements of forest planning in its system of directives that provide details to the forests on how to implement the planning regulations. However, because the national forests are primarily responsible for implementing many of the strategic goals, objectives, and strategies, the proposed planning regulations should be revised—even at this late hour—to require that forest plans be clearly linked to the Forest Service's strategic plan.

Recommendations to the Secretary of Agriculture

Although the Forest Service's 1999 proposed planning regulations would help national forests to resolve conflicts among competing uses when developing and implementing forest plans by making clear that ecological sustainability is the agency's highest priority, the Congress has never explicitly accepted this as the Forest Service's highest priority. Therefore, we recommend that the Secretary of Agriculture direct the Chief of the Forest Service to work with the Congress to ensure agreement on what the agency's mission priorities should be.

Moreover, since forest plans play a pivotal role in translating the agency's strategic goals, objectives, and strategies into on-the-ground projects and

activities, we also recommend that the Secretary of Agriculture direct the Chief of the Forest Service to revise the agency's proposed planning regulations to (1) require national forests to clearly link their forest plans to the agency's strategic goals, objectives, and strategies and (2) blend them with local priorities in revising the forest plans.

Finally, while we continue to believe that it would be preferable to place the necessary direction and guidance relating to public participation and monitoring in the Forest Service's planning regulations, we recommend that the Secretary of Agriculture direct the Chief of the Forest Service to, at a minimum, revise the agency's system of directives to require the national forests to develop (1) communications strategies describing how the public and other governmental entities will participate in all stages of revising a forest plan and (2) comprehensive monitoring and evaluation strategies describing how implementation of the plan will be monitored to determine how well their objectives and requirements have been met and how the data will be used to make changes to management decisions. We also recommend that the forests be required to (1) involve the public and other interested parties in developing these strategies and (2) make the strategies available to the public as a basis for holding the forests more accountable for their performance.

Agency Comments and Our Evaluation

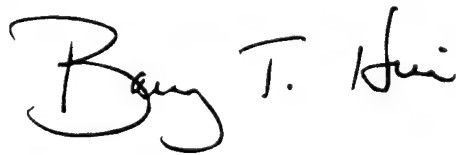
We provided a draft of this report to the Forest Service for its review and comment. Although the Forest Service generally agreed with the desired outcomes of our recommendations, it did not agree that our recommendations are needed to accomplish the outcomes. For example, we both believe that there should be a "direct link" between forest plans and the agency's national-level, long-term strategic goals and objectives. However, the Forest Service believes that requiring forest supervisors to "consider" the strategic goals and objectives in managing the national forests is adequate to ensure this link is established. Similarly, we share Forest Service's view that the forest supervisors should (1) base their decisions on accurate and complete data; (2) adequately involve the public and other government agencies throughout the forest planning process; and (3) live up to monitoring requirements. However, we also believe that forest supervisors should be required to develop strategies to ensure these key elements are integrated into the forest planning process. Finally, the Forest Service believes that ecological sustainability must be its highest priority. However, neither ecological sustainability nor the priority that the agency assigns to it is specifically required by any law, and until the Congress and the agency reach agreement on ecological sustainability as

the Forest Service's highest priority, holding the agency accountable for its performance will be difficult. The Forest Service's comments and our responses appear in appendix I.

We conducted our work between March 2000 and August 2000 in accordance with generally accepted government auditing standards. Appendix II contains the details of our scope and methodology.

We are sending copies of this report to Chairman Frank Murkowski, Senate Committee on Energy and Natural Resources; Senator Jeff Bingaman, Ranking Minority Member, Senate Committee on Energy and Natural Resources; Senator Ron Wyden, Ranking Minority Member, Subcommittee on Forests and Public Land Management, Senate Committee on Energy and Natural Resources; Chairman Don Young, House Committee on Resources; Representative George Miller, Ranking Minority Member, House Committee on Resources; Representative Adam Smith, Ranking Minority Member, Subcommittee on Forests and Forest Health, House Committee on Resources; the Honorable Dan Glickman, Secretary of Agriculture; and the Honorable Mike Dombeck, Chief of the Forest Service. We will also make copies available to others on request.

If you have any questions about this report, please contact me at (202) 512-3841. Key contributors to this assignment were Charles S. Cotton, Charles T. Egan, Kathy Hale, and Richard P. Johnson.

A handwritten signature in black ink, reading "Barry T. Hill". The signature is written in a cursive style with a large, stylized "B" and "H".

Barry T. Hill
Associate Director, Energy, Resources,
and Science Issues

Comments From the Forest Service and GAO's Response

Note: GAO comments supplementing those in the report text appear at the end of this appendix.

See comment 1.

See comment 2.



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Date: September 25, 2000

Mr. Jim Wells
Director, Energy, Resources, and Science Issues
U.S. General Accounting Office
Washington, D.C. 20548

Dear Mr. Wells:

Thank you for providing an opportunity to review the General Accounting Office's (GAO) draft report entitled, "Forest Service: Proposed Regulations Address Some, but Not All, Key Elements of Forest Planning," Code 141418. The GAO's review and analysis of the proposed planning regulations published for public comment on October 5, 1999, is appreciated. A discussion of the draft report and its key recommendations follow.

Ecological Sustainability as the Forest Service's Overriding Mission Priority

GAO draft report states:

"Congress has never explicitly accepted ecological sustainability as the Forest Service's highest priority or acknowledged its effects on the availability of timber, recreation, and other goods and services on the national forests. We recommend that the Forest Service work with the Congress to reach agreement on the agency's mission priorities."

We believe that the 1999 proposed regulations' focus on sustaining ecosystems is fully compatible with the Forest Service's underlying statutes. In order to ensure that the multiple-uses can be sustained in perpetuity, decisions must be made with sustainability as the overall guiding principle. Ecological sustainability lays a necessary foundation for national forests and grasslands to contribute to economic and social needs of our citizens. Without first maintaining and, where appropriate, restoring ecologically sustainable systems, the productivity of the land for various social and economic uses could be impaired. Therefore, planning for the multiple-use and sustained yield of national forest and grasslands must operate within a baseline that ensures the sustainability of ecological systems. The agency firmly believes that ecological sustainability is not only a complement to multiple-use and sustained yield management, but it is absolutely necessary for its achievement.

The Proposed Regulations Would Not Require That Forest Plans Be Clearly Linked to Strategic Goals, Objectives, and Strategies

GAO states that:

"The proposed planning regulations do not require that forest plans be clearly linked to the agency's strategic goals, objectives, and strategies."

On the contrary, we believe that the rule provides a framework for multiple levels of planning. Section 219.3(b) of the proposed regulations, recognizes the role of national planning in establishing long-term goals, objectives, and outcome measures. It is the agency's intent that there is a direct link between the national strategic goals and objectives in the new planning



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**Appendix I
Comments From the Forest Service and
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process. In addition, Section 219.7 provides that plan decisions link the requirements of laws, regulations, Executive Orders, policies, and the Forest Service strategic plans. Section 219.7 (b) provides that objectives are concise statements describing measurable results intended to achieve the goals of the plan. Objectives include an estimate of the time and resources needed for their completion. We believe that the proposed regulations require the forests and grasslands to develop plans that include measurable objectives, standards, and resource conditions, as recommended by the draft GAO report. The agency did receive public comments on this section of the proposed planning regulations and is considering some clarifying language in the final rule.

See comment 3.

The Proposed Regulations Would Not Hold the National Forests Accountable for Ensuring Effective Public Participation

GAO draft report states:

"The Forest Service has not adequately involved the public and other government agencies throughout their planning processes."

Based on public comments, the agency is considering language for the planning rule clarifying the responsibilities of the Forest and Grassland Supervisors in the achievement of a collaborative planning process. It is the agency's intent to have the Forest and Grassland Supervisors actively engaged with the public and others in the collaborative planning process. Section 219.12 of the proposed regulations states that the "responsible official should provide frequent opportunities for citizens and organizations to participate openly and meaningfully...in the planning process." The agency believes that this language clearly directs Forest and Grassland Supervisors to "actively engage" the American public and others in planning on national forests and grasslands. The Forest Service believes that public involvement approaches should be tailored for the specific planning efforts and that a requirement for the development of a specific public participation plan could prove to be counter productive in that it could be seen as "business as usual," rather than as the intended increased emphasis on effective multi-partner collaboration.

See comment 4.

The 1995 Proposed Planning Regulations Would Have Held the Forests More Accountable for Monitoring and Evaluating Management Decisions

GAO draft report states:

"Neither the existing nor the 1999 proposed planning regulations provide sufficient guidance to ensure that monitoring and evaluation activities are effective. In particular, the proposed regulations do not require forest supervisors to (1) prioritize their monitoring and evaluation needs, (2) describe procedures for implementing monitoring and evaluation activities, or (3) identify needed changes to plans or plans' implementation."

The 1999 proposed regulations emphasize monitoring and evaluation of resource conditions and trends over time so that management can be adapted as conditions change. Based on public comments, the agency is considering modifications to this section of the planning rule to provide additional detail for monitoring. Monitoring and evaluation will assist in determining if desired outcomes are being achieved and how to adapt if they are not. This emphasis is in keeping with NFMA's direction to ensure research on the evaluation of the effects of each management system, based on continuous monitoring and assessment in the field, to the end that it will not produce substantial and permanent impairment of the productivity of the land (16 U.S.C. 1604(g)(3)(C)). As noted by the USDA Committee of Scientists, "Monitoring is a key

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component of planning Monitoring procedures need to be incorporated into planning procedures and should be designed to be part of the information used to make informed decisions. Adaptive management and learning are not possible without effective monitoring of actual consequences from management activities." In the proposed regulations, each Forest or Grassland Supervisor is responsible for preparing an annual monitoring and evaluation report. With respect to the GAO's recommendation to set priorities for monitoring, we are carefully considering this recommendation in the development of the final rule. We agree with GAO on the importance of monitoring in the planning process. The agency recognizes the essential role the scientific community will have in the design and evaluation of monitoring programs. Monitoring will play a key role in the implementation of the new planning regulations.

See comment 5.

Neither the 1995 nor the 1999 Proposed Planning Regulations Would Hold the Forests Adequately Accountable for Data Collection and Use

GAO draft report states:

"The agency's existing planning regulations require forest supervisors to obtain current inventory data on forest resources. However, since the agency adopted these regulations, its need for gathering better and more comprehensive information on which to base decisions has increased. In particular, in revising their plans, most, if not all, of the national forests will need to address ecological, social, and economic issues that extend beyond their administrative boundaries and often extend onto other national forests."

The 1999 proposed regulations recognize the frequent need for cross-boundary information. The national forests and grasslands are not islands but are an integral part of the landscape of the United States. The amount and level of data collection and synthesis needed varies with the issue and the nature of the issues to be addressed and necessary decisions. The responsible official is to determine if the information on hand is sufficient, or if additional information is desirable and can be obtained at a reasonable cost and in a timely manner. Where issues are larger in scope, broad-scale assessments are often needed. Where issues are more limited in scale, local analyses are more appropriate. The proposed regulations provide a flexible process that yields the data appropriate to address an issue, rather than mandating one approach that may prove to be too much or too little to address the issue at hand. Information and data may be solicited and accepted from a variety of sources, including broad-scale assessments prepared or led by the Forest Service or others. Managers must use their professional skill and judgment to gauge the usefulness, reliability, and value of data and the information they provide. The proposed planning regulations have several provisions for the inclusion of the best available science in all activities associated with planning as described in sections 219.22 to 219.25 of the proposed planning rule. Through science advisory boards and the use of science consistency evaluations, the best available science is sought for each key step in the planning process, ensuring that necessary and appropriate data are collected and interpreted effectively and efficiently.

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Thank you for the opportunity to review and comment on the GAO draft report. If you have additional questions, please contact the Agency's External Audit Liaison, Linda Washington on (202) 205-3761.

Sincerely,

Vincette L. Goerl
VINCETTE L. GOERL
Chief Financial Officer
Deputy Chief, Office of Finance

The following are GAO's comments on the Forest Service's letter dated September 25, 2000.

GAO Comments

1. According to the Forest Service, "ecological sustainability is not only a complement to multiple-use and sustained yield management, but it is absolutely necessary for its achievement." However, the priority assigned to ecological sustainability by the agency is not driven by the statutory authorities specific to the management of the national forests, but rather, is predicated on the general requirements in environmental laws. Further, the Congress has never explicitly accepted ecosystem sustainability as the Forest Service's highest priority or acknowledged its effects on the availability of timber, recreation, and other goods and services on the national forests. Because the priority the Forest Service places on sustaining ecosystems is both controversial and fundamental to the management of national forests, we believe that explicit agreement with the Congress on this subject is warranted and recommend that the Secretary of Agriculture work to obtain such agreement.

2. According to the Forest Service, section 219.3(b) of the proposed regulations provides that there be a "direct link" between forest plans and national strategic goals and objectives in the new planning process. However, the section merely requires that long-term strategic goals, objectives, and outcome measures be "considered" in managing the national forests, not that they be clearly linked to the agency's strategic plan.

3. We agree with the Forest Service that the agency's planning regulations should (1) require that forest supervisors provide the public and others opportunities to be involved early and often throughout the planning process and (2) grant forest supervisors discretion to tailor public participation to their specific planning efforts. Both the existing and 1999 proposed regulations do this. However, under the existing regulations, some forests did not always adequately involve the public and others in the planning process and the 1999 proposed regulations are not significantly different. We believe the solution is to hold the forest supervisors accountable for their actions. Our recommendation— based on the Forest Service's 1995 proposed regulations— would establish a basis for holding the supervisors more accountable for their performance by requiring national forests to develop, document, and make available a communications strategy for involving the public and others in the forest planning process. GAO disagrees with the Forest Service that a

communications strategy could preclude tailoring public involvement approaches to the specific planning effort. Forest Supervisors would continue to have considerable discretion in determining how and to what extent to involve the public in developing forest plans. Additionally, we recommend that the public and other interested parties be involved in developing these strategies, which could result in public involvement approaches more finely tailored to specific planning efforts.

4. We agree with the Forest Service about the importance of (1) monitoring and evaluating management decisions and (2) prioritizing monitoring activities. However, to ensure that monitoring and evaluation activities are effective, we believe the agency's planning regulations must do more to hold supervisors accountable for their actions than require an annual monitoring and evaluation report. The annual monitoring and evaluation report that would be required by the 1999 proposed regulations is a step in the right direction, however, it does not focus on future monitoring and evaluation activities. For this reason, we recommend that national forests develop monitoring and evaluation strategies, similar to the communications strategies we have also recommended, that would describe, among other things, procedures for implementing monitoring and evaluation activities and how the data will be used to make changes to management decisions. Like the communications strategies, the public and others should be involved in developing monitoring and evaluation strategies and these strategies should be made available to the public as a basis for holding the forests more accountable for their performance.

5. We agree with the Forest Service that the amount and level of data collection and synthesis should vary with the issues to be addressed in revising a forest plan. However, as stated in our report, in revising forest plans, most, if not all, of the national forests will need to address ecological, social, and economic issues that extend beyond their administrative boundaries. For these reasons, we recommended in our February 2000 report that broad scale, ecosystem based assessments be used in revising forest plans unless their omission can be justified. Further, to ensure that broad scale assessments are used effectively, we also recommended in our February 2000 report that the forests prepare a strategy that identifies, among other things, the products the assessment will generate, their priority and cost, and how they will be used in revising forest plans. This is a prudent measure to ensure that, when assessments are appropriate, they are integrated effectively into forest planning. We believe these recommendations are consistent with a flexible process that yields the data appropriate to address an issue and do not mandate one

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approach that may provide too much or too little information to address the issue at hand.

Objectives, Scope, and Methodology

Over the last 6 years, we have issued over 2 dozen products that have identified deficiencies in the Forest Service's planning process and included recommendations to improve the cost-effectiveness and timeliness of this process. Concerned about the outcome of the required forest plan revisions, the Chairman of the Subcommittee on Forests and Public Land Management, Senate Committee on Energy and Natural Resources, and the Chairman of the Subcommittee on Forests and Forest Health, House Committee on Resources, asked us to provide our observations on the extent to which the Forest Service's proposed planning regulations address these deficiencies and recommendations.

Our analysis of our prior products identified the need to (1) make clear the agency's mission priorities before beginning the process to revise a forest plan; (2) link forest plans to agencywide goals, objectives, and strategies; and (3) hold the forests more accountable for key elements of forest planning. We then reviewed the agency's 1999 proposed planning regulations to determine how they addressed each of the three themes. In addition, we met with Forest Service officials from the office of the Deputy Chief, Programs and Legislation, responsible for developing the agency's strategic plan and with officials from the office of the Deputy Chief, National Forest System, responsible for drafting the proposed regulations.

We conducted our work between March 2000 and August 2000 in accordance with generally accepted government auditing standards.

Related GAO Products

Fire Management: Lessons Learned From the Cerro Grande (Los Alamos) Fire (GAO/T-RCED-00-257, July 27, 2000).

Forest Service: Actions Needed for the Agency to Become More Accountable for Its Performance (GAO/T-RCED-00-236, June 29, 2000).

Tongass National Forest: Process Used to Modify the Forest Plan (GAO/RCED-00-45, Apr. 17, 2000).

Forest Service: Broad-Scale Assessments Could Be Better Integrated Into the Forest Planning Process (GAO/T-RCED-00-146, Apr. 11, 2000).

Forest Service: Status of Efforts to Improve Accountability (GAO/T-RCED/AIMD-00-93, Feb. 16, 2000).

Forest Service Planning: Better Integration of Broad-Scale Assessments Into Forest Plans Is Needed (GAO/RCED-00-56, Feb. 15, 2000).

Forest Service: A Framework for Improving Accountability (GAO/RCED/AIMD-00-2, Oct. 13, 1999).

Federal Land Management: Comments on Selected Provisions of S. 1320--A Bill to Revise Federal Land Management Planning (GAO/T-RCED-99-270, July 22, 1999).

Western National Forests: Status of Forest Service's Efforts to Reduce Catastrophic Wildfire Threats (GAO/T-RCED-99-241, June 29, 1999).

Forest Service Priorities: Evolving Mission Favors Resource Protection Over Production (GAO/RCED-99-166, June 17, 1999).

Ecosystem Planning: Northwest Forest and Interior Columbia River Basin Plans Demonstrate Improvements in Land-Use Planning (GAO/RCED-99-64, May 26, 1999).

Western National Forests: A Cohesive Strategy is Needed to Address Catastrophic Wildfire Threats (GAO/RCED-99-65, Apr. 2, 1999).

Forest Service: Barriers to and Opportunities for Generating Revenue (GAO/T-RCED-99-81, Feb. 10, 1999).

Western National Forests: Nearby Communities Are Increasingly Threatened by Catastrophic Wildfires (GAO/T-RCED-99-79, Feb. 9, 1999).

Forest Service Management: Little Has Changed as a Result of the Fiscal Year 1995 Budget Reforms (GAO/RCED-99-2, Dec. 2, 1998).

Western National Forests: Catastrophic Wildfires Threaten Resources and Communities (GAO/T-RCED-98-273, Sept. 28, 1998).

Oregon Watersheds: Many Activities Contribute to Increased Turbidity During Large Storms (GAO/RCED-98-220, July 29, 1998).

Forest Service: Lack of Financial and Performance Accountability Has Resulted in Inefficiency and Waste (GAO/T-RCED/AIMD-98-135, Mar. 26, 1998).

Forest Service: Barriers to Generating Revenue or Reducing Costs (GAO/RCED-98-58, Feb. 13, 1998).

The Results Act: Observations on the Forest Service's May 1997 Draft Plan (GAO/T-RCED-97-223, July 31, 1997).

Forest Service Decision-Making: A Framework for Improving Performance (GAO/RCED-97-71, Apr. 29, 1997).

Tongass National Forest: Lack of Accountability for Time and Costs Has Delayed Forest Plan Revision (GAO/T-RCED-97-153, Apr. 29, 1997).

Forest Service Decision-Making: Greater Clarity Needed on Mission Priorities (GAO/T-RCED-97-81, Feb. 25, 1997).

Federal Land Management: Streamlining and Reorganization Issues (GAO/T-RCED-96-209, June 27, 1996).

Forest Service: Issues Related to Managing National Forests for Multiple Uses (GAO/T-RCED-96-111, Mar. 26, 1996).

Forest Service: Issues Relating to Its Decisionmaking Process (GAO/T-RCED-96-66, Jan. 25, 1996).

Ecosystem Management: Additional Actions Needed to Adequately Test a Promising Approach (GAO/RCED-94-111, Aug. 16, 1994).

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